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PATENT

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US PATENT & TRADEMARK  
OFFICE

EXPRESS MAIL CERTIFICATE

Date 1/8/04

Label No. EL983952046-US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Mail Stop Non Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313, 1450 by "Express Mail Post Office to Addressee" service.

Name (Print) H. Davis

Signature

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04 - 0100

Docket No. 00646/100D205-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Ramesh A. Bhat, et al.

Serial No.: 09/429,832

Confirmation No.: 6371

Filed: October 29, 1999

Group Art Unit: 1646

For: NOVEL HUMAN ESTROGEN RECEPTOR BETA

**REQUEST FOR REFUND**

Mail Stop 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicant in the above-referenced patent application hereby requests a partial refund of fees paid with respect to this application.

On December 22, 2003 a Request for Continuation Examination along with an Amendment in response to the Office Action dated April 21, 2003 was filed for this application with a Amendment Transmittal Letter incorrectly calculating the total independent claims as 6.

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- 1 -

The correct total of independent claims should be 1 claim. We enclose a copy of Applicants Check No. 3675 showing the incorrect amount paid together with a copy of our Amendment Transmittal sheet showing the incorrect total.

Accordingly the Applicant requests that a refund of \$36 be credited to Deposit Account No. 04-0100 in the name of Darby & Darby P.C.

Respectfully submitted,

Date: 1/8/2004

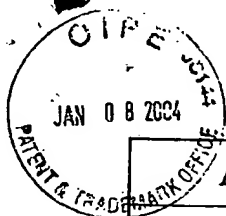
Kristin Behrendt  
Kristin E. Behrendt  
Reg. No. 45,599  
Attorney for Applicants

DARBY & DARBY, P.C.  
P.O. Box 5257  
New York, NY 10150-5257  
212-527-7700

PATENT MAINTENANCE  
DIVISION

2004 JAN 15 PM 12:30

US PATENT & TRADEMARK  
OFFICE



# AMENDMENT TRANSMITTAL LETTER

Docket No.  
00646/100D205-US1

Application No.  
09/429,832

Filing Date  
October 29, 1999

Examiner  
N. Basi

Art Unit  
1646

Applicant(s): Ramesh A. Bhat, et al.

Invention: NOVEL HUMAN ESTROGEN RECEPTOR BETA

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	17	- 25 =	0	x	
Independent Claims	6	- 4 =	2	x 18.00	36.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					36.00

☒ Large Entity

☐ Small Entity

☒ No additional fee is required for this amendment.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge and credit Deposit Account No. 04-0100  
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

*Kristin Behrendt*

Kristin E. Behrendt  
Attorney Reg. No.: 45,599

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7665

Dated: Dec. 22, 2003

Express Mail Label No. EV3400637004S Dated: 12-22-03

DEC 22 2003

EV3400637004S

Dated: 12-22-03

Docket No.: 00646/100D205-US1  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Ramesh A. Bhat, et al.

Application No.: 09/429,832

Art Unit: 1646

Filed: October 29, 1999

Examiner: N. Basi

For: NOVEL HUMAN ESTROGEN RECEPTOR  
BETA

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated April 21, 2003 (Paper No. 16), finally rejecting claims 17, 18, and 28-41, and the Advisory Action dated December 4, 2003, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

12/29/2003 HVUONG1 00000041 09429832

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Repln. Ref: 01/28/2004 SDIRETA1 0008551200  
DHH:040100 Name/Number:09429832  
FC: 9204 \$36.00 CR

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PATENT TRADEMARK OFFICE

Adjustment date: 01/28/2004 SDIRETA1  
12/29/2003 HVUONG1 00000041 09429832  
02 FC:1202 -36.00 DP

DEC 22 2003

<b>AMENDMENT TRANSMITTAL LETTER</b>				Dock t No. 00646/100D205-US1	
Application No. 09/429,832		Filing Date October 29, 1999		Examiner N. Basi	
				Art Unit 1646	
Applicant(s): Ram sh A. Bhat, et al.					
Invention: NOVEL HUMAN ESTROGEN RECEPTOR BETA					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	17	- 25 =	0	x	
Independent Claims	6	- 4 =	2	x 18.00	36.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					<b>36.00</b>
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input checked="" type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-0100</u> as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<u>Kristin Behrendt</u> Kristin E. Behrendt Attorney Reg. No.: 45,599  DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7665				Dated: <u>Dec. 22, 2003</u>	
Express Mail Label No. <u>EV3400637004S</u> Dated: <u>12-22-03</u>					

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